

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Pursuant to the authority of Iowa Code section 136C.3, the Department of Public Health hereby adopts new Chapter 37, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material,” and amends Chapter 38, “General Provisions for Radiation Machines and Radioactive Materials,” Chapter 39, “Registration of Radiation Machine Facilities, Licensure of Radioactive Materials and Transportation of Radioactive Materials,” and Chapter 40, “Standards for Protection Against Radiation,” Iowa Administrative Code.

The rules in new Chapter 37 reflect the new United States Nuclear Regulatory Commission (US NRC) Part 37 rules that deal with physical protection of category 1 and category 2 quantities of radioactive materials. These amendments ensure that the Iowa Administrative Code is compatible with US NRC regulations pursuant to the stipulations of the state of Iowa’s status as a US NRC agreement state. The following paragraphs summarize the changes:

Item 1 adopts new Chapter 37 including Appendix A.

Item 2 amends subrule 38.1(3) to reference new Chapter 37.

Item 3 amends subrule 38.8(11) to rescind references to rule 641—40.54(136C) and to adopt references to new rule 641—37.77(136C).

Item 4 amends subrule 39.1(3) to update the effective date for references to the Code of Federal Regulations to maintain compatibility with US NRC regulations.

Item 5 rescinds and reserves rule 641—40.54(136C) as the language is now included in Chapter 37.

Item 6 rescinds and reserves Chapter 40, Appendix G.

Notice of Intended Action was published in the April 2, 2014, Iowa Administrative Bulletin as **ARC 1414C**. No comments were received. The adopted amendments are identical to those published under Notice.

The State Board of Health adopted these amendments on May 14, 2014.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 136C.

These amendments will become effective on July 16, 2014.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [adopt Ch 37; amend Chs 38 to 40] is being omitted. These amendments are identical to those published under Notice as **ARC 1414C**, IAB 4/2/14.

[Filed 5/14/14, effective 7/16/14]

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[For replacement pages for IAC, see IAC Supplement 6/11/14.]